

Allowed Claims, Application 09292887

26 December 2005

Allowed claims were established in an Office action containing an examiner's amendment and signed by the Primary Examiner on 23 August 2005. That Office action consisted of nine sheets, but only the first three have been made of record (in the NOA on 15 September 2005). The remaining six sheets, including most of the examiner's amendment, were never scanned into the Image File Wrapper.

The following sheets numbered "Page 2 of 14" to "Page 9 of 14" contain all the allowed claims. Claims 23, 36 and 45 have been marked in accordance with the 23 August 2005 examiner's amendment agreed to by applicant's attorney. The remaining six sheets are a re-transmission of the material originally received from applicant's attorney on 23 August 2005.



DONALD L. CHAMPAGNE
PRIMARY EXAMINER

AMENDMENTS TO THE CLAIMS:

Please cancel claims 47-49.

Claims 1-22 (cancelled).

1 23. (Previously Presented) A credit card incentive system comprising:
2 a credit card issuer computing system including a processor and a memory having a
3 program residing therein for causing the processor to perform the steps of
4 establishing a credit card account with the credit card issuer for a credit card
5 holder having an account at a particular lending institution for an installment loan with a cost that
6 ~~would require~~ requires a fixed number of periodic equal-sized payments made by the credit card holder to retire
7 the loan,
8 accumulating the total value of all purchases made by the card holder using the
9 credit card during a period of time, DCL
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10 checking to determine whether the credit card account is in good standing with the
11 credit card issuer, *for a given period*
12 calculating an installment loan benefit amount based on the accumulated value of
13 purchases *during that period* ^A if the credit card account is in good standing,
14 determining whether there is an outstanding balance on the credit card holder's
15 installment loan at the particular lending institution, and
16 transferring the installment loan benefit amount to the particular lending
17 institution to apply the installment loan benefit amount, as an additional payment, against the
18 outstanding principal on the installment loan account, if the credit card account is in good
19 standing and there is an outstanding principal balance, so as to reduce the cost of the installment
20 loan.

1 24. (Previously Presented) The credit card incentive system of claim 23, the program being
2 further configured to

3 determine whether the installment loan at the particular lending institution has been
4 refinanced by another lending institution, prior to the program determining whether there is an
5 outstanding balance, and

6 if the loan has been refinanced, obtain the loan status of the credit card holder's
7 installment loan at the other lending institution, and receive notice that the particular lending
8 institution is the other lending institution.

1 25. (Previously Presented) The credit card incentive system of claim 23, wherein transferring the
2 installment loan benefit amount is performed by causing a wire transfer to the lending institution.

1 26. (Previously Presented) The credit card incentive system of claim 23, wherein transferring the
2 installment loan benefit amount is performed by causing a check to be sent to the lending
3 institution.

1 27. (Previously Presented) The credit card incentive system of claim 23, wherein transferring the
2 installment loan benefit amount is performed by causing a wire transfer to the lending institution,
3 if the amount of the payment exceeds a minimum value, and is performed by causing a check to
4 be sent, otherwise.

1 28. (Previously Presented) The credit card incentive system of claim 23, wherein transferring the
2 installment loan benefit amount is performed periodically.

1 29. (Previously Presented) The credit card incentive system of claim 23, wherein transferring the
2 installment loan benefit amount is performed once a year.

1 30. (Previously Presented) The credit card incentive system of claim 29, wherein calculating an
2 installment loan benefit amount is performed by calculating the value of goods and services
3 purchased by the credit card holder.

1 31. (Previously Presented) The credit card incentive system of claim 30, wherein calculating an
2 installment loan benefit amount is performed by calculating a straight percentage of the value of
3 goods and services purchased by the credit card holder.

1 32. (Previously Presented) The credit card incentive system of claim 30, wherein calculating an
2 installment loan benefit amount is performed by
3 determining a first threshold amount of the purchases and applying a first percentage to
4 the first threshold amount to arrive at a first benefit amount, and
5 determining a second threshold amount of the purchases and applying a second
6 percentage to the second threshold amount less the first threshold amount to arrive at a second
7 benefit amount, and
8 adding the first and second benefit amounts to arrive at the installment loan benefit
9 amount.

1 33. (Previously Presented) The credit card incentive system of claim 30, wherein calculating an
2 installment loan benefit amount is performed by calculating a straight percentage of the amount
3 of any interest charged to the credit card holder by the credit card issuer on the value of the goods
4 and services purchased by the credit card holder.

1 34. (Previously Presented) The credit card incentive system of claim 30, wherein calculating an
2 installment loan benefit amount is performed by
3 determining a first threshold amount of the interest accrued during the period of time and
4 applying a first percentage to the first threshold amount to arrive at a first benefit amount, and
5 determining a second threshold amount of the interest accrued during the period of time
6 and applying a second percentage to the second threshold amount less the first threshold amount
7 to arrive at a second benefit amount, and
8 adding the first and second benefit amounts to arrive at the installment loan benefit
9 amount.

1 35. (Previously Presented) The credit card incentive system of claim 23, wherein the period of
2 time is one year.

1 36. (Previously Presented) A computerized method for providing credit card incentive payments,
2 comprising:

3 establishing a credit card account on a credit card issuer computer system for a credit card
4 holder having an account at a particular lending institution for an installment loan with a cost that
5 ~~would require~~
6 requires a fixed number of periodic equal-sized payments made by the credit card holder to retire
7 the loan;

8 accumulating, on the card issuer computer system, the total value of all purchases made
9 by the card holder using the credit card during a period of time;

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10 checking to determine whether the credit card account is in good standing;
11 calculating, on the card issuer computer system, an installment loan benefit amount based
12 on the accumulated value of purchases, if the credit card account is in good standing;

13 determining whether there is an outstanding balance on the credit card holder's
14 installment loan at the particular lending institution; and

15 transferring the installment loan benefit amount to the particular lending institution to
16 apply the installment loan benefit amount, as an additional payment, against the outstanding
17 principal on the installment loan account, if the credit card account is in good standing and there
 is an outstanding principal balance, so as to reduce the cost of the installment loan.

1 37. (Previously Presented) The credit card incentive system of claim 36, further comprising the
2 steps of:

3 prior to determining whether there is an outstanding balance, determining whether the
4 installment loan at the particular lending institution has been refinanced by another lending
5 institution; and

6 if the loan has been refinanced,

7 obtaining the loan status of the credit card holder's installment loan at the other
8 lending institution; and

9 receiving notice that the particular lending institution is the other lending
10 institution.

1 38. (Previously Presented) The method of claim 36, wherein the period of time is one year.

1 39. (Previously Presented) The method of claim 36, wherein calculating the installment loan
2 benefit amount is performed by calculating a straight percentage of the value of all purchases
3 made by the credit card holder during the period of time.

1 40. (Previously Presented) The method of claim 36, wherein calculating an installment loan
2 benefit amount is performed by

3 determining a first threshold amount of the purchases and applying a first percentage to
4 the first threshold amount to arrive at a first benefit amount, and

5 determining a second threshold amount of the purchases and applying a second
6 percentage to the second threshold amount less the first threshold amount to arrive at a second
7 benefit amount, and

8 adding the first and second benefit amounts to arrive at the installment loan benefit
9 amount.

1 41. (Previously Presented) The method of claim 36, wherein calculating the installment loan
2 benefit amount includes:

3 calculating the value of all interest charged the credit card holder by the credit card issuer
4 during the period of time; and

5 calculating the sum of a straight percentage of the value of goods and services purchased
6 by the credit card holder and a straight percentage of the interest charged the credit card holder by
7 the credit card issuer during the period of time to arrive at the installment loan benefit amount.

1 42. (Previously Presented) The method of claim 36, wherein calculating the installment loan
2 benefit amount includes:

3 calculating the value of all interest charged the credit card holder by the credit card issuer
4 during the period of time;
5 calculating an incremented percentage of the value of goods and services purchased by
6 the credit card holder by
7 determining a first threshold amount of the purchases and applying a first
8 percentage to the first threshold amount to arrive at a first benefit amount,
9 determining a second threshold amount of the purchases and applying a second
10 percentage to the second threshold amount less the first threshold amount to arrive at a second
11 benefit amount, and
12 adding the first and second benefit amounts;
13 calculating a straight percentage of the interest charged the credit card holder by the credit
14 card issuer during the period of time; and
15 summing the calculated incremented percentage of the value of the purchases and straight
16 percentage of the interest charged to arrive at the installment loan benefit amount.

1 43. (Previously Presented) The method of claim 36, wherein calculating the installment loan
2 benefit amount includes:
3 calculating the value of all interest charged the credit card holder by the credit card issuer
4 during the period of time;
5 calculating an incremented percentage of the value of goods and services purchased by
6 the credit card holder by
7 determining a first threshold amount of the purchases and applying a first
8 percentage to the first threshold amount to arrive at a first purchase benefit amount,
9 determining a second threshold amount of the purchases and applying a second
10 percentage to the second threshold amount less the first threshold amount to arrive at a second
11 purchase benefit amount, and
12 adding the first and second purchase benefit amounts;
13 calculating an incremented percentage of the interest charged the credit card holder by

14 determining a first threshold amount of the interest accrued during the period of time and
15 applying a first percentage to the first threshold amount to arrive at a first interest benefit amount,
16 and
17 determining a second threshold amount of the interest accrued during the period of time
18 and applying a second percentage to the second threshold amount less the first threshold amount
19 to arrive at a second interest benefit amount, and
20 adding the first and second interest benefit amounts; and
21 summing the calculated incremented percentage of the value of the goods and the
22 incremented percentage of the interest charged to arrive at the installment loan benefit amount.

1 44. (Previously Presented) The method of claim 36, wherein calculating the installment loan
2 benefit amount includes:
3 calculating the value of all interest charged the credit card holder by the credit card issuer
4 during the period of time; and
5 calculating the sum of a straight percentage of the value of goods and services purchased
6 by the credit card holder using the credit card issued by the credit card issuer;
7 calculating an incremented percentage of the interest charged the credit card holder by the
8 credit card issuer during the period of time by
9 determining a first threshold amount of the interest accrued during the period of
10 time and applying a first percentage to the first threshold amount to arrive at a first interest
11 benefit amount, and
12 determining a second threshold amount of the interest accrued during the period
13 of time and applying a second percentage to the second threshold amount less the first threshold
14 amount to arrive at a second interest benefit amount, and adding the first and second interest
15 benefit amounts; and
16 summing the calculated straight percentage of the value of the purchases and the
17 calculated incremented percentage of interest charged to arrive at the installment loan benefit
18 amount.

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- 1 45. (Previously Presented) A computer-readable medium having a computer program with
- 2 computer-executable instructions for performing a method comprising:
 - 3 establishing a credit card account on a credit card issuer computer system for a credit card
 - 4 holder having an account at a particular lending institution for an installment loan with a cost that
would require
requires a fixed number of periodic equal-sized payments made by the credit card holder ^{to} retire
 - 5 the loan;
 - 6 accumulating, on the card issuer computer system, the total value of all purchases made
 - 7 by the card holder using the credit card during a period of time;
 - 8 checking to determine whether the credit card account is in good standing;
 - 9 calculating, on the card issuer computer system, an installment loan benefit amount based
for a given period
during that period
10 on the accumulated value of purchases, if the credit card account is in good standing;
 - 11 determining whether there is an outstanding balance on the credit card holder's
 - 12 installment loan at the particular lending institution; and
 - 13 transferring the installment loan benefit amount to the particular lending institution to
 - 14 apply the installment loan benefit amount, as an additional payment, against the outstanding
 - 15 principal on the installment loan account, if the credit card account is in good standing and there
 - 16 is an outstanding principal balance, so as to reduce the cost of the installment loan.

- 1 46. (Previously Presented) The credit card incentive system of claim 45, further comprising the
- 2 steps of:
 - 3 prior to determining whether there is an outstanding balance, determining whether the
 - 4 installment loan at the particular lending institution has been refinanced by another lending
 - 5 institution; and
 - 6 if the loan has been refinanced,
 - 7 obtaining the loan status of the credit card holder's installment loan at the other
 - 8 lending institution; and
 - 9 receiving notice that the particular lending institution is the other lending
 - 10 institution.

47-49 Cancelled.

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FAX TRANSMISSION SHEET**DATE** December 19, 2005

TO	Donald Champagne USE TO	TEL	571.273.6717
FROM	Yvette Yturralde-Owen Legal Secretary	TEL	+1 650 813 4917
EMAIL	yvette@dechert.com	FAX	+1 650 813 4848
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MESSAGE

Re: Application Serial No. 09/292,487

Dear Examiner Champagne:

Attached please find a copy of what I was able to locate from the file regarding the above-identified matter. Please let me know if this is what you were looking for. If not, please contact me directly at 650.813.4917.

Thank you,
~Yvette

Sherry, Leah

From: Champagne, Donald [Donald.Champagne@USPTO.GOV]
Sent: Tuesday, August 23, 2005 7:46 PM
To: Sherry, Leah
Subject: One more (minor) Correction to Allowance (USPTO case 09292887 (Your docket 354333-00201)

Leah,

At the end of line 5 (claim 45), "holder retire" should be "holder to retire".
I'll make the change.

Don

-----Original Message-----

From: Champagne, Donald
Sent: Tuesday, August 23, 2005 10:29 PM
To: 'Sherry, Leah'
Subject: RE: Correction to Allowance (USPTO case 09292887 (Your docket 354333-00201)

OK, I'm still here!

-----Original Message-----

From: Sherry, Leah [mailto:leah.sherry@dechert.com]
Sent: Tuesday, August 23, 2005 10:26 PM
To: Champagne, Donald
Subject: RE: Correction to Allowance (USPTO case 09292887 (Your docket 354333-00201)

Don,

Thanks for the update. I am going to locate the fax so I can respond to you.

Leah

From: Champagne, Donald [mailto:Donald.Champagne@USPTO.GOV]
Sent: Tuesday, August 23, 2005 7:22 PM
To: Sherry, Leah
Subject: Correction to Allowance (USPTO case 09292887 (Your docket 354333-00201)

Leah,

I found a problem: there is another independent claim, claim 45.
It closely parallels claim 23 and 36, so I've amended it similarly.
I faxed a copy of the amended claim 45 to you a few moments ago.

Regards,

Don C.

-----Original Message-----

From: Champagne, Donald
Sent: Tuesday, August 23, 2005 9:34 PM

To: 'Sherry, Leah'
Subject: RE: USPTO case 09292887 (Your docket 354333-00201)

I am pleased to advise you that I did this evening sign a Notice of Allowance for this application.

However, please be aware that this case is among the class that requires review by a "second pair of eyes".

Hence the allowance will not be official - and you will not receive any official communication from the Office in this case - until that review process is complete.

My last case took seven months to clear this review process. The process has recently been revised to reduce the delay.

However, the backlog is still significant, so you likely will not receive an official notice for at least several months.

In the interim, please do feel free to contact me if I can be of further help.

Donald L. Champagne, Primary Examiner, USPTO Art Unit 3622

-----Original Message-----

From: Sherry, Leah [mailto:leah.sherry@decheit.com]
Sent: Tuesday, August 23, 2005 2:35 PM
To: Champagne, Donald
Cc: Sherry, Leah
Subject: RE: USPTO case 09292887 (Your docket 354333-00201)

Dear Donald,

Here is copy of the complete amended claims 23 and 36 as you suggested for an Examiner's Amendment with only a minor difference (there is no claim 22).

23. (Previously Presented) A credit card incentive system comprising:

 a credit card issuer computing system including a processor and a memory having a program residing therein for causing the processor to perform the steps of establishing a credit card account with the credit card issuer for a credit card holder having an account at a particular lending institution for an installment loan with a cost that would require requires a fixed number of periodic equal-sized payments made by the credit card holder to retire the loan,

 accumulating the total value of all purchases made by the card holder using the credit card during a period of time,

 checking to determine whether the credit card account is in good standing with the credit card issuer,

 calculating an installment loan benefit amount for a given period based on the accumulated value of purchases during that period, if the credit card account is in good standing,

 determining whether there is an outstanding balance on the credit card holder's installment loan at the particular lending institution, and

 transferring the installment loan benefit amount to the particular lending institution to apply the installment loan benefit amount, as an additional

payment, against the outstanding principal on the installment loan account, if the credit card account is in good standing and there is an outstanding principal balance, so as to reduce the cost of the installment loan.

36. (Previously Presented) A computerized method for providing credit card incentive payments, comprising:

establishing a credit card account on a credit card issuer computer system for a credit card holder having an account at a particular lending institution for an installment loan with a cost that ~~requires would require~~ a fixed number of periodic equal-sized payments made by the credit card holder to retire the loan;

accumulating, on the card issuer computer system, the total value of all purchases made by the card holder using the credit card during a period of time;

checking to determine whether the credit card account is in good standing;

calculating, on the card issuer computer system, an installment loan benefit amount ~~for a given period based on the accumulated value of purchases for that period~~, if the credit card account is in good standing;

determining whether there is an outstanding balance on the credit card holder's installment loan at the particular lending institution; and

transferring the installment loan benefit amount to the particular lending institution to apply the installment loan benefit amount, as an additional payment, against the outstanding principal on the installment loan account, if the credit card account is in good standing and there is an outstanding principal balance, so as to reduce the cost of the installment loan.

Please let me know if you intend to issue the Notice of Allowance for the claims as now presented. If you have any questions please don't hesitate to contact me.

Thanks for considering this application,

Best regards,

Leah

Leah Sherry, Esq.

Dechert LLP

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Original Message-----

From: Champagne, Donald [mailto:Donald.Champagne@USPTO.GOV]
Sent: Tuesday, August 23, 2005 10:52 AM
To: Sherry, Leah
Subject: USPTO case 09292887 (Your docket 354333-00201)

Confirming our conversation a few moments ago, I believe that this case would be made allowable by amending lines 12-13 of independent claim 22 as follows:

calculating an installment loan benefit amount for a given period based on the accumulated value
of purchases during said period, if the credit card account is in good standing,
where the underlined material is the proposed amendment.

A similar amendment would have to be made to lines 10-11 of the other independent claim, claim 36.

This proposal is subject to my successful completion of final checks of the prior art and history of this case.

I would be pleased to implement this as an examiner's amendment. Indeed, if you are able to return applicant's approval to me no later than 6 PM EDT today, I believe that I can sign an allowance before the end of the day. That would gain applicant two weeks since I will go on leave after today until September 7.

Please feel free to telephone me (571-272-6717) if I can be of further help to applicant in this matter.

Don Champagne, Primary Examiner, USPTO Art Unit 3622

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you.